

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
Request of Limited Modification of )  
LATA Boundaries to Provide ELCS )  
Between the Aspermont )  
exchange and the Anson, Hamlin, Rotan )  
and Stamford exchanges. )

**PETITION****I. INTRODUCTION**

Southwestern Bell Telephone Company (SWBT), pursuant to Section 3(25) of the Communications Act of 1934, as amended,<sup>1</sup> and in accordance with the guidelines established in the Commission's Memorandum Opinion and Order (MO&O) released July 15, 1997 in CC Docket 96-159,<sup>2</sup> hereby makes application for a limited modification of LATA boundaries to provide ELCS between the Aspermont exchange and the Anson, Hamlin, Rotan and Stamford exchanges.

**II. SUPPORTING INFORMATION**

As prescribed in paragraph 23 of the aforementioned Commission MO&O, SWBT provides the following information in support of its application:

1. Type of service: Flat-rate, non-optional Expanded Local Calling (ELC);
2. Direction of service: Two-way;

<sup>1</sup> The Communications Act of 1934, as amended, 47 U.S.C. et al.

<sup>2</sup> Memorandum Opinion and Order, Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service at Various Locations, CC Docket No. 96-159, released July 15, 1997. By way of this MO&O the Commission adopted a format for and criteria under which such petitions would be granted. The format and criteria are detailed in paragraphs 23 and 24.

3. Exchanges involved: Aspermont in the Wichita Falls, TX. LATA, Anson in the Abilene, TX. LATA, Hamlin in the Abilene, TX. LATA, Rotan in the Abilene, TX. LATA, and Stamford in the Abilene, TX. LATA.
4. Name of carriers: Aspermont of Contel/GTE Southwest, Inc., Anson of Southwestern Bell Telephone, Hamlin of Southwestern Bell Telephone, Rotan of Southwestern Bell Telephone, and Stamford of Southwestern Bell Telephone;
5. State commission approval(s): See Attachment A;
6. Number of access lines or customers: The Aspermont exchange has 848 access lines, the Anson exchange has 1912 access lines, the Hamlin exchange has 1447 access lines, the Rotan exchange has 1,222 access lines, and the Stamford has 2,368 access lines;
7. Usage data: Usage data is not available to Southwestern Bell Telephone. SWBT does not currently carry traffic across LATA boundaries;
8. Poll results: Percentage of Aspermont customers voting in favor of ELC to Anson: 79.80. Percentage of Aspermont customers returning ballots who voted in favor of ELC to Hamlin: 85.76. Percentage of Aspermont customers returning ballots who voted in favor of ELC to Rotan: 80.00. Percentage of Aspermont customers returning ballots who voted in favor of ELC to Stamford: 85.63. Where SWBT is the petitioning exchange, there is no proposed rate increase. Where SWBT is not the petitioning exchange, SWBT does not have information as to any proposed rate increase.
9. Community of interest statement: The Public Utility Commission of Texas includes a Community of Interest Finding in their Order(s). See Attachment A.
10. Map: See Attachment B; and,
11. Other pertinent information: None

### **III. PRIMA FACIE SHOWING**

SWBT believes that it has made a prima facie case supporting grant of the proposed modification because the instant ELCS petition (1) has been approved by the state commission; (2) proposes only traditional local service (i.e., flat-rate, non-optional ELCS); (3) indicates that the state commission found a sufficient community of interest

to warrant such service; (4) documents this community of interest through such evidence as poll results and descriptions of the communities involved; and, (5) involves a limited number of customer or access lines. These requirements for a prima facie case are detailed in the aforementioned Commission MO&O paragraph 24.

#### IV. CONCLUSION

Wherefore, SWBT requests that the Commission approve its application for a limited modification of LATA boundaries to provide ELCS between the Aspermont and the Anson, Hamlin, Rotan and Stamford exchanges.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

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February 24, 1998

PROJECT NO. 17135

**PETITION FOR EXPANDED LOCAL  
CALLING SERVICE FROM THE  
ASPERMONT EXCHANGE TO THE  
EXCHANGES OF ANSON, HAMLIN,  
ROTAN, AND STAMFORD**

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§  
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§

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

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**INTERIM ORDER**

**Findings of Fact**

1. On February 27, 1997, subscribers of the Aspermont Exchange filed a petition for Expanded Local Calling Service (ELCS) requesting non-optional, two-way, flat rate calling to the exchanges of Anson, Hamlin, Rotan, and Stamford.
2. The processes for petitioning and balloting included notice that the service would be for a flat monthly fee of up to \$3.50 per residential line and \$7.00 per business line on a non-optional basis.
3. The Aspermont Exchange is in the Wichita Falls Local Access and Transport Area (LATA) and is served by GTE Southwest, Inc. (GTE-SW). The petitioned exchanges of Anson, Hamlin, Rotan, and Stamford are in the Abilene LATA and are served by Southwestern Bell Telephone Company (SWBT).
4. An affirmative vote of 79.80 percent of Aspermont Exchange subscribers responding to the ballot favored expanding the local calling scope to include the Anson Exchange; 85.76 percent of those responding favored expanded the local calling scope to include the Hamlin Exchange; 80.00 percent of those responding favored expanding the local calling scope to include the Rotan Exchange, and 85.63 percent of those responding favored expanding the local calling scope to include the Stamford Exchange.

5. On July 15, 1997, the Federal Communications Commission (FCC) issued an order, *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, CC Docket No. 96-159, FCC 97-244, (rel. July 15, 1997) (*Memorandum Opinion and Order*), providing a procedure for requesting a limited LATA boundary modification.

6. Utilizing vertical and horizontal (V&H) geographic coordinates of the central switching offices pursuant to 16 T.A.C. § 23.49(e)(3)(B)(i), the central office of the petitioned exchange of Anson is 32.46 miles from the petitioning exchange central office; the petitioned exchange of Hamlin is 18.47 miles from the petitioning exchange central office; the petitioned exchange of Rotan is 23.63 miles from the petitioning exchange central office, and the petitioned exchange of Stamford is 28.17 miles from the petitioning exchange central office.

7. In addition to satisfying the geographic requirement of the Texas Public Utility Commission rules that the central switching office for a petitioned exchange be within 50 miles of the petitioning exchange, a statement attesting to the existence of a community of interest between the petitioning and petitioned exchanges was filed on April 17, 1997, for the petitioned exchanges of Anson, Hamlin, Rotan, and Stamford.

8. The Anson Exchange provides medical services, veterinary services, dentists, intergovernmental relationships, a commercial center and participates in an economic development organization with the Aspermont Exchange. The Hamlin Exchange participates in the Tri-County Educational Coop for special education services, and participates in an economic development organization with the Aspermont Exchange. The Rotan Exchange provides dentists, intergovernmental relationships, and shares an economic development organization with the Aspermont Exchange. The Stamford Exchange is a member of the Tri-County Educational Coop, a cattle market location, medical services, eye clinic, commercial center, intergovernmental relationships and participates in an economic development organization with the Aspermont Exchange.

9. Based on the statement referenced in Finding of Fact No. 7, there is a community of interest between the petitioning Aspermont Exchange and the petitioned exchanges of Anson, Hamlin, Rotan, and Stamford.

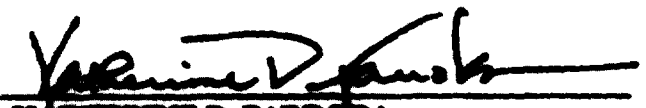
**Ordering Paragraphs**

In accordance with the findings of fact, the Commission issues the following Interim Order:

1. Petitioners from the Aspermont Exchange have shown a community of interest with the Anson, Hamlin, Rotan, and Stamford Exchanges.
- 2.. SWB is directed to file a request for a limited modification of the LATA boundary in accordance with the procedures outlined in the FCC order, *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, CC Docket No. 96-159, FCC 97-244, (rel. July 15, 1997) (*Memorandum Opinion and Order*), ¶¶ 23 & 24, by January 31, 1998.
4. Within ten (10) days of the receipt of an Order or Notice from the FCC relating to this petition, SWBT is directed to file such Order or Notice in this project.

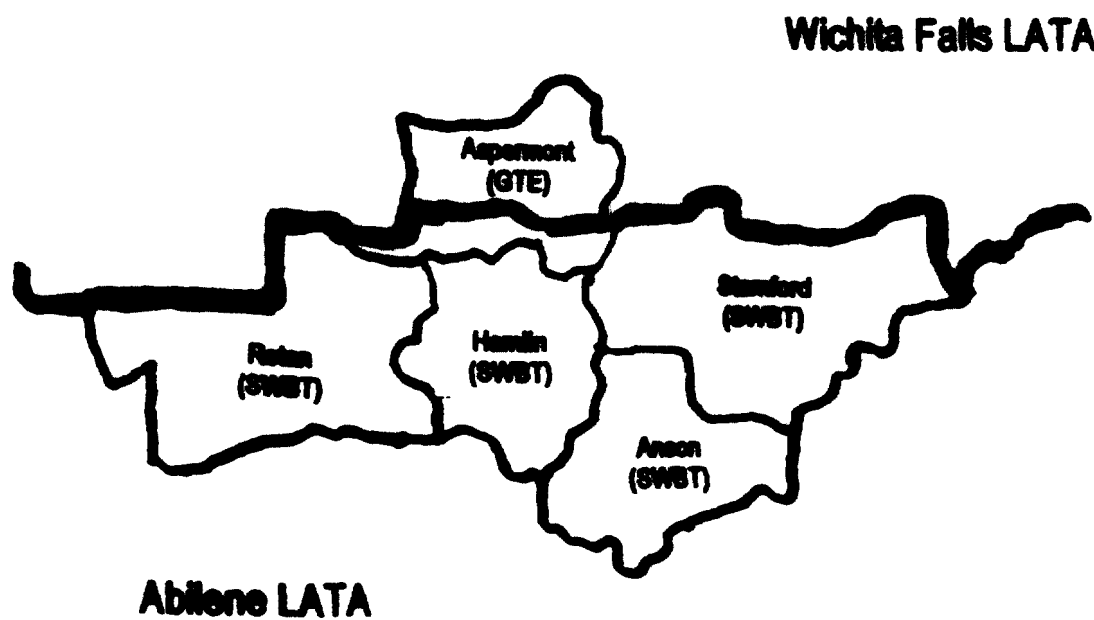
SIGNED AT AUSTIN, TEXAS the 2nd day of January, 1998

PUBLIC UTILITY COMMISSION OF TEXAS

  
KATHERINE D. FARROBA  
ADMINISTRATIVE LAW JUDGE  
OFFICE OF POLICY DEVELOPMENT

# Aspermont to Anson, Hamlin, Rotan, Stamford

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← 40 miles →

A scale bar consisting of a horizontal line with arrows at both ends, labeled "40 miles".

**Certificate of Service**

I, Mary Ann Morris, hereby certify that the foregoing , "Petition for LATA boundary waivers" has been filed this 24<sup>th</sup> day of February, 1998 to the Parties of Record.

A handwritten signature in cursive script, reading "Mary Ann Morris", is written over a horizontal line.

Mary Ann Morris

February 24 1998



TEXAS PUBLIC UTILITY COMMISSION

1701 NORTH CONGRESS

AUSTIN, TEXAS 78701